

ESTTA Tracking number: **ESTTA1294577**Filing date: **06/29/2023**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**Petition for Cancellation**

Notice is hereby given that the following party has filed a petition to cancel the registration indicated below.

**Petitioner information**

Name	Danjaq, LLC		
Entity	limited liability company	Citizenship	Delaware
Address	11400 OLYMPIC BLVD. LOS ANGELES, CA 90064 UNITED STATES		
Attorney information	JILL M. PIETRINI SHEPPARD MULLIN RICHTER & HAMPTON LLP 1901 AVENUE OF THE STARS, SUITE 1600 LOS ANGELES, CA 90067 UNITED STATES Primary email: JPietrini@SheppardMullin.com Secondary email(s): PBost@SheppardMullin.com, MDanner@SheppardMullin.com, RWalsh@SheppardMullin.com, RLHudson@SheppardMullin.com, LGlenn@SheppardMullin.com, TrademarksCC@SheppardMullin.com 3102283700		
Docket no.	01WA-372512		

**Registration subject to cancellation**

Registration no.	6763083	Registration date	06/21/2022
Register	Principal		
Registrant	Jack's Abby Brewing LLC 100 CLINTON STREET FRAMINGHAM, MA 01702 UNITED STATES		

**Goods/services subject to cancellation**

Class 032. First Use: Oct 5, 2018 First Use In Commerce: Oct 5, 2018 All goods and services in the class are subject to cancellation, namely: Beer
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**Grounds for cancellation**

Priority and likelihood of confusion	Trademark Act Sections 14(1) and 2(d)
Dilution by tarnishment	Trademark Act Sections 14(1) and 43(c)
False suggestion of a connection with persons, living or dead, institutions, beliefs, or national symbols	Trademark Act Sections 14(3) and 2(a)

## Marks cited by petitioner as basis for cancellation

U.S. application no.	97064476	Application date	10/07/2021
Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	SHAKEN NOT STIRRED		
Design mark			
Description of mark	NONE		
Goods/services	Class 032. First use: First Use: None First Use In Commerce: None Beers; non-alcoholic beverages, namely, non-alcoholic cocktail mixes, non-alcoholic cocktails and fruit drinks; preparations for making beverages, namely, beer, non-alcoholic cocktail mixes, non-alcoholic cocktails and fruit drinks		

U.S. application no.	97071360	Application date	10/12/2021
Register	Principal		
Registration date	NONE	Foreign priority date	NONE
Word mark	SHAKEN NOT STIRRED		
Design mark			
Description of mark	NONE		
Goods/services	Class 033. First use: First Use: Dec 1, 1997 First Use In Commerce: Dec 1, 1997 Alcoholic beverages except beers; spirits; liqueurs		

Attachments	Petition to Cancel NOT STIRRED in Class 32 - Reg. No. 6,763,083 - Jac k's Abby Brewing LLC - O1WA-372512 4864-3028-4141 v.1.pdf(185852 bytes ) Exhibit A - SHAKEN NOT STIRRED applications.pdf(342336 bytes ) Exhibit B to Petition to Cancel - Wikipedia pages.pdf(3777334 bytes ) Exhibit C - Evidence of Use of Shaken Not Stirred.pdf(5149666 bytes )
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Signature	/Jill M. Pietrini/
Name	Jill M. Pietrini
Date	06/29/2023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

<i>In re Registration No. 6,763,083 for the trademark <b>NOT STIRRED</b> in Class 32</i>  Danjaq, LLC,  Petitioner,  vs.  Jack's Abby Brewing LLC,  Registrant.	Cancellation No. _____  <b>PETITION FOR CANCELLATION</b>
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Commissioner for Trademarks  
ATTN: Trademark Trial and Appeal Board  
P.O. Box 1451  
Alexandria, VA 22313-1451

Dear Commissioner:

Petitioner, Danjaq, LLC, a Delaware limited liability company, having its principal place of business at 11400 Olympic Blvd., Suite 1700, Los Angeles, California 90064 ("Petitioner"), believes that it will be harmed by the trademark shown in Reg. No. 6,763,083, issued on June 21, 2022 (the "Registration"), owned by Registrant Jack's Abby Brewing LLC, a Massachusetts limited liability company, having a place of business of 100 Clinton Street, Framingham, Massachusetts 01702 ("Registrant"), and hereby petitions to cancel the Registration on the following grounds:

**FACTUAL BACKGROUND REGARDING PETITIONER'S 007 TRADEMARKS**

1. Since at least as early 1962, Petitioner and its predecessors and related companies have produced and promoted a series of motion pictures featuring the character James Bond, also known and referred to as "007", consisting of *Dr. No* (1962); *From Russia With Love* (1963);

*Goldfinger* (1964); *Thunderball* (1965); *You Only Live Twice* (1967); *On Her Majesty's Secret Service* (1969); *Diamonds Are Forever* (1971); *Live And Let Die* (1973); *The Man With The Golden Gun* (1974); *The Spy Who Loved Me* (1977); *Moonraker* (1979); *For Your Eyes Only* (1981); *Octopussy* (1983); *A View To A Kill* (1985); *The Living Daylights* (1987); *Licence To Kill* (1989); *Goldeneye* (1995); *Tomorrow Never Dies* (1997); *The World Is Not Enough* (1999); *Die Another Day* (2002); *Casino Royale* (2006); *Quantum of Solace* (2008), *Skyfall* (2012), *Spectre* (2015), and *No Time to Die* (2021) (collectively, the “*James Bond Motion Pictures*”). The *James Bond Motion Pictures* are one of the most successful and well-known film franchises of all time.

2. Petitioner owns the registered and common law trademarks associated with the *James Bond Motion Pictures*, including without limitation, the trademarks 007, 007 & Design, JAMES BOND, JAMES BOND 007, and JAMES BOND 007 & Design (collectively, the “Bond Marks”). In addition, Petitioner owns Registration Nos. 1,737,876, 1,739,332, 3,878,949, 3,962,585, 3,962,625, 4,596,696, 4,596,699, and 6,828,133 for some of the Bond Marks, and all of these registrations are valid and subsisting, some of which are incontestable pursuant to 15 U.S.C. §1065. On October 7, 2021, Petitioner filed an application to register SHAKEN NOT STIRRED for “Beers; non-alcoholic beverages, namely, non-alcoholic cocktail mixes, non-alcoholic cocktails and fruit drinks; preparations for making beverages, namely, beer, non-alcoholic cocktail mixes, non-alcoholic cocktails and fruit drinks” in Class 32, which was assigned Serial No. 97/064,476. On October 12, 2021, Petitioner filed an application to register SHAKEN NOT STIRRED for “Alcoholic beverages except beers; spirits; liqueurs” in Class 33, which was assigned Serial No. 97/071,360. On September 15, 2017, Petitioner filed an application to register SHAKEN NOT STIRRED for “Beers; non-alcoholic beverages, namely, non-alcoholic cocktail mixes, non-alcoholic cocktails and fruit drinks; preparations for making beverages, namely, beer, non-alcoholic cocktail mixes, non-alcoholic cocktails and fruit drinks” in Class 32, and “Alcoholic beverages except beers; spirits; liqueurs” in Class 33, which was



assigned Serial No. 87/610876 (the “2017 SHAKEN NOT STIRRED Application”). The 2017 SHAKEN NOT STIRRED Application was allowed by the Office, but went abandoned on August 23, 2021 because of the delay in releasing the 25<sup>th</sup> *James Bond* Motion Picture – *No Time to Die* caused by the COVID pandemic. Because of such delays, there were not current license or co-promotion agreements at the time the final extension of time to file a statement of use expired. True and correct copies of all of Danjaq’s SHAKEN NOT STIRRED trademark applications are attached as **Exhibit A**.

3. The catch phrase, “Shaken, not stirred”, is how James Bond prefers and orders his martini cocktail, which he uses in almost all of the *James Bond* Motion Pictures. The phrase has been used since at least as early as 1964 and is undoubtedly famous and very much associated with James Bond and the *James Bond* Motion Pictures. Attached hereto as **Exhibit B** is a true and correct printout from the informational website Wikipedia describing the “Shaken, not stirred” catch phrase at [https://en.wikipedia.org/wiki/Shaken,\\_not\\_stirred](https://en.wikipedia.org/wiki/Shaken,_not_stirred). The phrase “Shaken, not stirred” is on many top famous movie quote lists. The following non-exhaustive list describes how SHAKEN NOT STIRRED has been used by Danjaq – either directly or through licensees – well before the filing date of the Application: Cocktail shakers; Advertisements, marketing materials, and promotional materials for alcoholic beverages and to promote *James Bond* Motion Pictures; Marketing materials for sweepstakes associated with alcoholic beverages; Promotional banners for alcoholic beverages; License solicitation materials; Trading cards; Cocktail recipe books; T-shirts; Coins; Coasters; Journals; Pens; Tote bags and other carrying bags; Cocktail glasses; and Games. Samples of evidence of use of SHAKEN NOT STIRRED on these products are attached as **Exhibit C**. The SHAKEN NOT STIRRED trademark has also been used by third parties through co-promotion agreements for various products, including alcoholic beverages and accessories therefor, again over the years since James Bond first used the signature phrase in 1964.

4. The phrase SHAKEN NOT STIRRED has acquired secondary meaning and is uniquely associated with James Bond and the *James Bond* Motion Pictures. This is shown, among other things, by: (a) in June 2005, the American Film Institute ranked “Shaken, not stirred” as No. 90 in its list of the 100 Best Movie Quotes in the Past 100 Years of Film, and the quote remains on such list to this day; (b) significant press and publicity associating “Shaken, not stirred” with James Bond and the James Bond Motion Pictures; (c) a dedicated Wikipedia page for “Shaken, not stirred”; (d) the use of SHAKEN NOT STIRRED on various products; and (e) the use of SHAKEN NOT STIRRED on promotional, marketing, and advertising materials.

5. The Bond Marks and the SHAKEN NOT STIRRED trademark are extensively used in connection with, and to market and promote, the *James Bond* Motion Pictures and a wide range of goods and services. Petitioner and its predecessors have invested substantial time and expense promoting the *James Bond* Motion Pictures, the Bond Marks, and the SHAKEN NOT STIRRED trademark. As a result of extensive sales, advertising, and promotion of the *James Bond* Motion Pictures and the broad range of products and services sold or offered under the Bond Marks and the SHAKEN NOT STIRRED trademark for decades, the Bond Marks and the SHAKEN NOT STIRRED trademark have developed enormous goodwill and secondary meaning, and they are famous under 15 U.S.C. §1125(c). At a minimum, the Bond Marks and the SHAKEN NOT STIRRED trademark are famous and unquestionably strong in the context of 15 U.S.C. §1052(d).

**FACTUAL BACKGROUND REGARDING REGISTRANT AND THE  
REGISTRATION OF NOT STIRRED**

6. On October 29, 2018, Registrant applied to register the mark NOT STIRRED for “Beer” in Class 32, on an in-use basis and claiming a date of first use anywhere and in commerce of October 5, 2018. This application was assigned Serial No. 88/172,623 (the “NOT STIRRED Application”).

7. The NOT STIRRED Application was refused registration by the Office based on a potential likelihood of confusion with the 2017 SHAKEN NOT STIRRED Application, and was suspended pending disposition of the 2017 SHAKEN NOT STIRRED Application.

8. After the 2017 SHAKEN NOT STIRRED Application went abandoned for the reasons stated above, on June 21, 2022, the NOT STIRRED Application matured to, and the Office issued, the Registration.

9. When Petitioner refiled its applications to register SHAKEN NOT STIRRED in Classes 32 and 33, they were refused by the Office based on a likelihood of confusion with the Registration.

#### **FIRST GROUND FOR CANCELLATION (Likelihood of Confusion)**

10. Petitioner incorporates by reference the allegations contained in Paragraphs 1 to 9 herein.

11. There is no dispute as to priority. Petitioner's and its predecessors' use of the SHAKEN NOT STIRRED trademark and the secondary meaning acquired in such phrase pre-dates Registrant's filing date of the NOT STIRRED Application and any use of the NOT STIRRED mark by decades.

12. Registrant's NOT STIRRED mark is confusingly similar to Petitioner's SHAKEN NOT STIRRED trademark under 15 U.S.C. §1052(d). Registrant's mark is likely to cause confusion, mistake or deception as to source, origin, affiliation, association, connection or sponsorship of Registrant's goods offered or to be offered under the NOT STIRRED mark with Petitioner's SHAKEN NOT STIRRED trademark, the goods and services offered under the Bond Marks, the *James Bond* Motion Pictures, and/or with Petitioner and/or Petitioner's activities.

#### **SECOND GROUND FOR CANCELLATION (Likelihood of Dilution)**

13. Petitioner incorporates the allegations contained in Paragraphs 1 to 12 herein.

14. The SHAKEN NOT STIRRED trademark was famous before the NOT STIRRED Application was filed and before any use of the NOT STIRRED mark began by Registrant.

15. Registrant's use of the NOT STIRRED mark in commerce is likely to cause dilution of the distinctive quality of Petitioner's SHAKEN NOT STIRRED trademark under 15 U.S.C. §1125(c). Registrant's NOT STIRRED mark is likely to impair the distinctiveness of Petitioner's SHAKEN NOT STIRRED trademark and to harm the reputation of, or tarnish, Petitioner's SHAKEN NOT STIRRED trademark.

### **THIRD GROUND FOR CANCELLATION (False Suggestion of a Connection)**

16. Petitioner incorporates the allegations contained in Paragraphs 1 to 15 herein.

17. Registrant's mark is the same as, or a close approximation of, Petitioner's SHAKEN NOT STIRRED trademark as used by James Bond and in connection with the *James Bond* Motion Pictures. Registrant's mark would be recognized as such, in that it points uniquely and unmistakably to the *James Bond* Motion Pictures, James Bond, and/or Petitioner.

18. The *James Bond* Motion Pictures, James Bond, and Petitioner are not connected with the activities performed or goods offered by Registrant under the NOT STIRRED mark.

19. The fame or reputation of the *James Bond* Motion Pictures, James Bond, and/or Petitioner is such that, when the NOT STIRRED mark is used with Registrant's goods, a connection with the *James Bond* Motion Pictures, James Bond, or Petitioner would be presumed.

### **DAMAGE TO PETITIONER**

20. Petitioner is damaged by the Registration of NOT STIRRED in that it gives Registrant a prima facie exclusive right to the use of the NOT STIRRED mark, despite the likelihood of confusion and likelihood of dilution, false suggestion of a connection with Petitioner, James Bond, and/or the *James Bond* Motion Pictures, and the ownership of SHAKEN NOT STIRRED by Petitioner. Further, the Registration is blocking Petitioner's applications to register SHAKEN NOT STIRRED in Classes 32 and 33.

**PRAYER**

WHEREFORE, Petitioner prays that Reg. No. 6,763,083 issued on June 21, 2022, be canceled. The required fee of \$600 for this Petition to Cancel has been charged to Deposit Account No. 50-4561.

Respectfully submitted,

SHEPPARD MULLIN RICHTER & HAMPTON LLP

Dated: June 29, 2023

/Jill M. Pietrini/

Jill M. Pietrini

1901 Avenue of the Stars, Suite 1600

Los Angeles, California 90067-6017

(310) 228-3700

*Attorneys for Petitioner*

**CERTIFICATE OF E-FILING**

I hereby certify that this **PETITION FOR CANCELLATION** is being transmitted electronically to Commissioner of Trademarks, Attn: Trademark Trial and Appeal Board through ESTTA pursuant to 37 C.F.R. §2.195(a), on this 29<sup>th</sup> day of June, 2023.

/LaTrina Glenn/

LaTrina Glenn

SMRH:4864-3028-4141.1

# Exhibit A



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# SHAKEN NOT STIRRED

**Word Mark** **SHAKEN NOT STIRRED****Goods and Services** IC 032. US 045 046 048. G & S: Beers; non-alcoholic beverages, namely, non-alcoholic cocktail mixes, non-alcoholic cocktails and fruit drinks; preparations for making beverages, namely, beer, non-alcoholic cocktail mixes, non-alcoholic cocktails and fruit drinks**Standard Characters Claimed****Mark Drawing Code** (4) STANDARD CHARACTER MARK**Serial Number** 97064476**Filing Date** October 7, 2021**Current Basis** 1B**Original Filing Basis** 1B**Owner** (APPLICANT) **Danjaq**, LLC LIMITED LIABILITY COMPANY DELAWARE 245 N. Beverly Drive Beverly Hills CALIFORNIA 90210**Attorney of Record** Jill M. Pietrini, Esq.**Type of Mark** TRADEMARK**Register** PRINCIPAL**Live/Dead Indicator** LIVE
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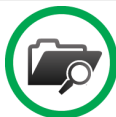
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**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

**Descriptor:**



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

**Status:** Application revived and is awaiting further action.

**Status Date:** Mar. 23, 2023

## Mark Information

## Goods and Services

## Basis Information (Case Level)

## Current Owner(s) Information

## Attorney/Correspondence Information

## Prosecution History

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# SHAKEN NOT STIRRED

**Word Mark****SHAKEN NOT STIRRED****Goods and Services**

IC 033. US 047 049. G &amp; S: Alcoholic beverages except beers; spirits; liqueurs. FIRST USE: 19971201. FIRST USE IN COMMERCE: 19971201

**Standard Characters Claimed****Mark Drawing Code**

(4) STANDARD CHARACTER MARK

**Serial Number**

97071360

**Filing Date**

October 12, 2021

**Current Basis**

1A

**Original Filing Basis**

1A

**Owner**(APPLICANT) **Danjaq**, LLC LIMITED LIABILITY COMPANY CALIFORNIA 11400 Olympic Blvd., Ste. 1700 Los Angeles CALIFORNIA 90064**Attorney of Record**

Jill M. Pietrini, Esq.

**Type of Mark**

TRADEMARK

**Register**

PRINCIPAL

**Live/Dead Indicator**

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**Mark:** SHAKEN NOT STIRRED

SHAKEN NOT STIRRED

**US Serial Number:** 97071360

**Application Filing Date:** Oct. 12, 2021

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

**Descriptor:**



LIVE/APPLICATION/Under Examination

The trademark application has been accepted by the Office (has met the minimum filing requirements) and that this application has been assigned to an examiner.

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# Exhibit B

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anachronism, since the drink was reformulated (removing the olive) in 1900, 22 years before the film's production. Bond is purported to have drunk six of them.

In *Skyfall*, when talking to Bond girl Sévérine at a casino bar, the bartender is seen shaking Bond's martini before pouring it, to which Bond comments "perfect".

In *Spectre*, Bond orders his signature drink in a mountaintop resort, only to be told to his disdain that he is at a health clinic and that the bar does not serve alcohol. Q instead orders Bond an unpleasant-looking green-coloured "prolytic digestive enzyme shake", and a disgusted Bond asks the barman "Do me a favour, will you? Throw that down the toilet. Cut out the middleman."

In *No Time to Die*, Bond orders his signature drink Vodka Martini and drinks it with Paloma in honor of Felix Leiter. Paloma finishes the drink very quickly, to calm her nervousness.

Purpose of shaking [ edit ]

Biochemists and martini connoisseurs have investigated the difference between a martini shaken and a martini stirred. The Department of Biochemistry at the University of Western Ontario in Canada studied whether preparation of a martini affects its antioxidant capacity; the study found that the shaken gin martinis were able to break down hydrogen peroxide and leave only 0.072% of the peroxide, while the stirred gin martini left 0.157%.<sup>[6]</sup> Thus a shaken martini has more antioxidants than a stirred one.

Andrew Lycett, an Ian Fleming biographer, believed that Fleming liked his martinis shaken, not stirred, because Fleming thought that stirring a drink diminished its flavour. Lycett also noted that Fleming preferred gin and vermouth for his martini.<sup>[7]</sup> Fleming was a fan of martinis shaken by Hans Schröder, a German bartender.<sup>[8][9][10][11]</sup>

Harry Craddock's *Savoy Cocktail Book* (1930) prescribes shaking for all its martini recipes.<sup>[12]</sup> However, many bartenders stir any cocktail whose ingredients are all transparent—such as martinis, manhattans, and negronis—to maintain clarity and texture. Shaking a drink introduces air bubbles into the mixture and can chip off small pieces from the ice cubes when they hit each other or the wall of the shaker. Both of these factors lead to a cloudy appearance and a different texture compared with a stirred drink. However, when any ingredients are opaque (such as citrus juices, dairy, or eggs), changes in clarity and texture are less important.

Both shaking and stirring a drink with ice serve to chill and dilute the drink. Both techniques are equally effective, but shaking is much faster. Bartenders do not stir long enough to reach the matching temperature and dilution.<sup>[13][14]</sup>

Some connoisseurs<sup>[who?]</sup> believe that shaking gin "bruises" the gin (gives it a slight bitter taste). Fleming's novel *Casino Royale* states that Bond "watched as the deep glass became frosted with the pale golden drink, slightly aerated by the bruising of the shaker," suggesting that Bond was requesting it shaken because of the vodka it contained. Prior to the 1960s, vodka was, for the most part, refined from potatoes (usually cheaper brands). This element made the vodka oily. To disperse the oil, Bond ordered his martinis shaken; thus, in the same scene where he orders the martini, he tells the barman about how vodka made from grain rather than potatoes makes his drink even better. Shaking is also said to dissolve the vermouth better, making it less oily tasting.<sup>[15]</sup>

Properly cladded a Bradford,<sup>[16]</sup> a shaken martini also appears cloudier than when stirred. This is caused by the small fragments of ice present in a shaken martini. This also brings into question the movie versions, which are never cloudy. Diluting the drink may be deliberate.

In "Stirred", an episode of *The West Wing*, President Josiah Bartlet disagrees with Bond in a conversation with his aide Charlie Young: "Shaken, not stirred, will get you cold water with a dash of gin and dry vermouth. The reason you stir it with a special spoon is so not to chip the ice. James is ordering a weak martini and being snooty about it."<sup>[17]</sup>

Other ooy drinking habits [ edit ]

A general study of Bond's consumption of alcohol in the series of novels by Fleming was published by three scientists.<sup>[18]</sup>

Spirits [ edit ]

Bond's drinking habits mirror those of his creator, Ian Fleming. Fleming, as well as Bond throughout the novels, had a preference for bourbon whiskey. Fleming himself had a fondness for gin, drinking as much as a bottle a day; however, he was converted to bourbon at the behest of his doctor who informed him of his failing health.<sup>[19]</sup>

Otherwise, in the films James Bond normally has a fondness for vodka that is accompanied by product placement for a brand. For instance, Smirnoff was clearly shown in 1962's *Dr. No* and in 1997's *Tomorrow Never Dies*, in which Bond sits drinking a bottle while in his hotel room in Hamburg. Other brands featured in the films have included Absolut Vodka, Stolichnaya and Finlandia. In the film *GoldenEye*, Bond suggests cognac when offered a drink by M, who gives him bourbon instead, as it is her preference. The whiskey poured is in fact Jack Daniel's, which markets itself as a Tennessee Whiskey, which is legally a sub-category of bourbon—often distinguished from bourbon itself.<sup>[20]</sup>

In *Goldfinger*, Bond drinks a mint julep at Auric Goldfinger's Kentucky stud farm, and in *Thunderball*, Largo gives Bond a Rum Collins. Bond is also seen in *Quantum of Solace* drinking bottled beer when meeting with Felix Leiter in a Bolivian bar. The following Bond movies of Craig's tenure show Bond's preferred beer to be Heineken. In *Die Another Day*, Bond drinks a mojito. In *Casino Royale*, Bond orders Mount Gay Rum with soda. In that film, he also invents the famous "Vesper" cocktail—a variation on a martini—originally included in the novel but not seen in the films until the reboot. In *Skyfall*, the villain Raoul Silva says he believes 50 year old Macallan single malt whisky to be one of Bond's favourites.<sup>[citation needed]</sup>

Also in *Goldfinger* during a briefing on the villain, their host offers a refill with, "Have a little more of this rather disappointing brandy."

M replies, "Why, what is the matter with it?"

Bond replies, "I'd say it was a 30-year-old Fine [as in Fine brandy] indifferently blended, Sir... with an overdose of Bon bois." Bon bois is a Cognac region known for its poor soils. It is a low quality Cognac, and Bond is saying that too much of this was used in the blend.<sup>[21]</sup>

In the novel *Moonraker*, it is noted in the card club Blades, Bond adds a single pinch of black pepper to his glass of fine Wölfeschmidt vodka, much to M's consternation, to which Bond says he got into the habit in joints that served villainous home brew. It sinks all the poisons to the bottom, and Bond got to like the taste. However, he does admit that he should not have insulted the Club Wölfeschmidt.<sup>[22]</sup>

Wines [ edit ]




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In the book *Casino Royale*, Bond describes Taittinger champagne as "not a well-known brand, but it is probably the finest champagne in the world."

In several of the Bond films, he is known to prefer Bollinger and Dom Pérignon<sup>[23]</sup> champagne. Never primarily a red wine drinker, Bond tended to favour Château Mouton Rothschild; a 1947 vintage in *Goldfinger*, and half a bottle *On Her Majesty's Secret Service*, a 1934 ordered by M in *Moonraker*, and a '55 in *Diamonds Are Forever*—where Bond unveiled the assassin Wint posing as a waiter because the latter did not know that Mouton-Rothschild is a claret. In the Jeffery Deaver novel *Carte Blanche*, Bond expresses a knowledge and appreciation of South African wine.<sup>[citation needed]</sup>

In the film of *Diamonds Are Forever*, Bond savours a glass of sherry and fools M into thinking Bond has made a mistake when he pronounces a year of make ("51"). When Bond is informed that sherry has no vintage, he replies (to a non-plussed M) that he was discerning the vintage of the wine on which the sherry is based—1851.<sup>[citation needed]</sup>

Others [ edit ]



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In the film *You Only Live Twice*, Bond opts for sake over his usual martini, indicating that he especially likes it when it's served at what he says is the correct temperature of 98.4 °F (36.9 °C). Tiger, his host, is impressed and tells Bond he is exceptionally cultured—for a European. In *Licence to Kill* when in the dive bar called Barrelhead Bar, he orders the same as his contact, Pam Olivier, a "Bud with a lime."

Aside from alcoholic beverages, Bond is a coffee drinker and eschews tea with a passion, believing it to have been a factor in the fall of the British Empire and referring to it as "a cup of mud" (in Fleming's *Goldfinger*). In the novel *Live and Let Die*, he expresses his fondness for Jamaican Blue Mountain Coffee—while in the film adaptation he is shown operating a La Pavoni Europiccola lever coffee machine in the kitchen of his flat. In the Fleming novel *From*



See also [\[ edit \]](#)

- ## References [\[ edit \]](#)

- ## External links [[edit](#)]

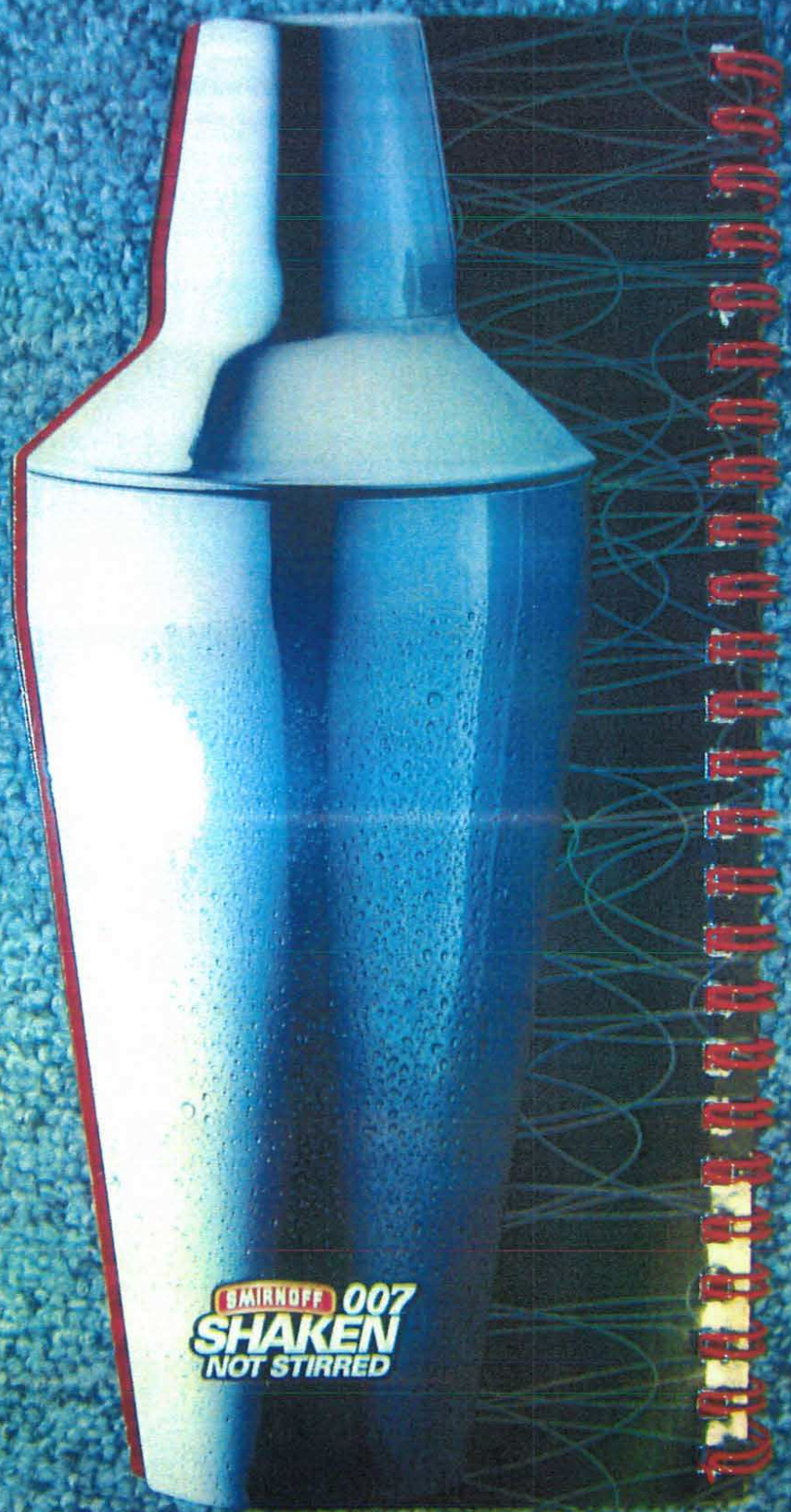
- "Shaken and Stirred, James Bond Loves His Booze" at Time.com. [↗](#)

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# Exhibit C



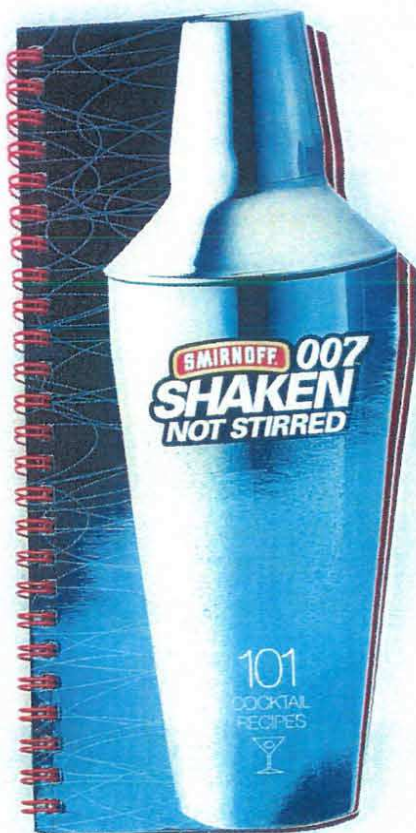


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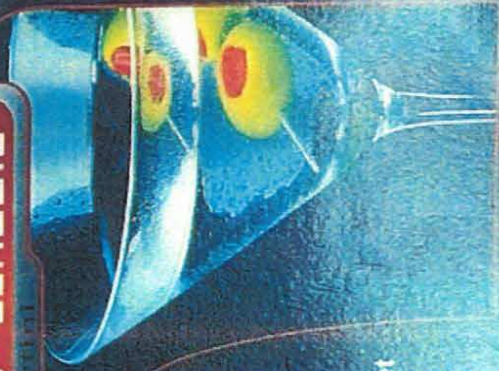
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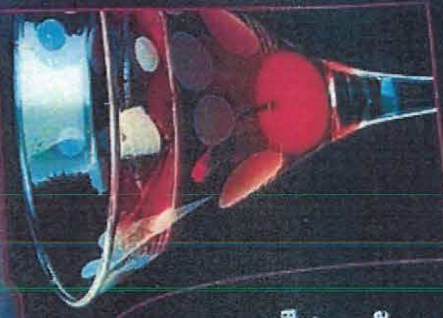
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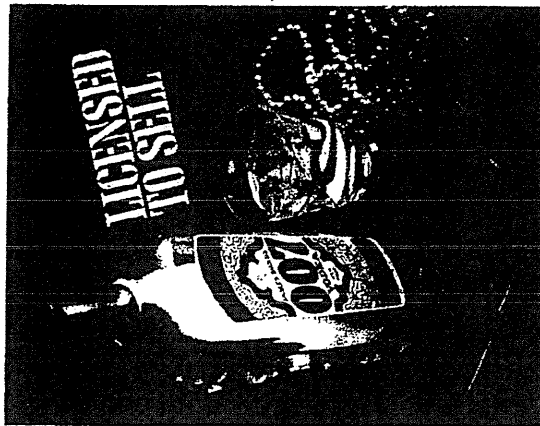
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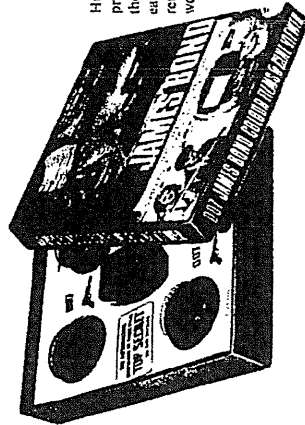
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*“Shaken Not Stirred”*

## *Shaken Not Stirred*

Bond's penchant for a particular type of martini is evident from the beginning of the film series. It's his first cinematic drink in *DR NO* (1962). When Bond is on assignment in Jamaica, a white-jacketed steward in his hotel room offers him "One medium dry Vodka Martini, mixed like you said Sir, and not stirred."

Later, Dr No himself also offers Bond "One dry Martini - lemon peel - shaken not stirred." "vodka?" questions Bond. "Of course" retorts Dr No.

So insistent was Bond that his Vodka Martini was to be "*shaken not stirred*" that the phrase itself entered the lexicon, and in 2005 was selected as one of the 100 most famous lines in film.

However, it is not until Connery's third outing as Bond in *Goldfinger* (1964) that we hear him say those now trademarked words. He has just 'come to' after being tranquilized and is on Goldfinger's private Lockheed JetStar heading for Baltimore. Mae Lei (Mae Ling), Pussy Galore's inflight assistant asks 'Can I do something for you Mr. Bond?' His reply 'Just a drink. A Martini, shaken, not stirred.'

Since then the Vodka Martini has been a continual reassuring presence in the Bond film series, but it shot to the forefront once again with Daniel Craig in *Casino Royale*.

Facing Le Chiffre across the casino table, Bond calls the Barman over and orders what he later names a Vesper.

"Dry Martini"

"Oui Monsieur"

"Wait. Three measures of Gordon's, one of vodka, half a measure of Kina Lilet, shake it over ice, and then add a thin slice of lemon peel."

"Yes Sir"





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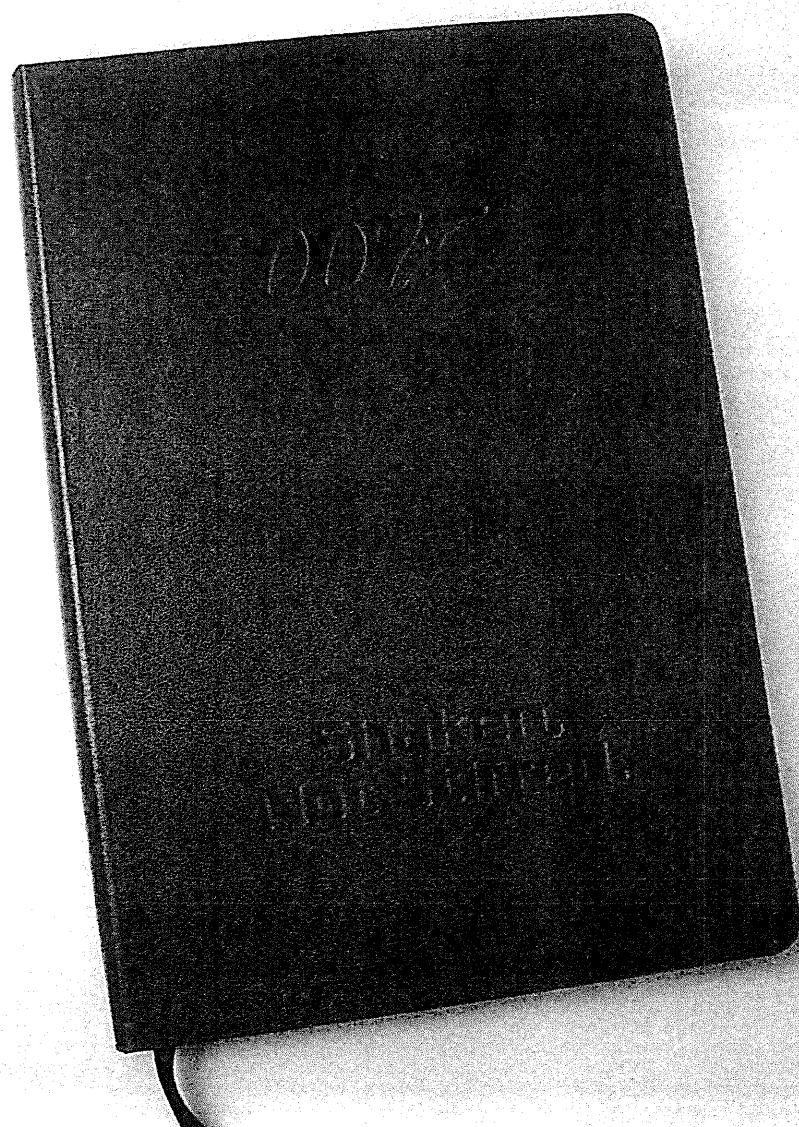
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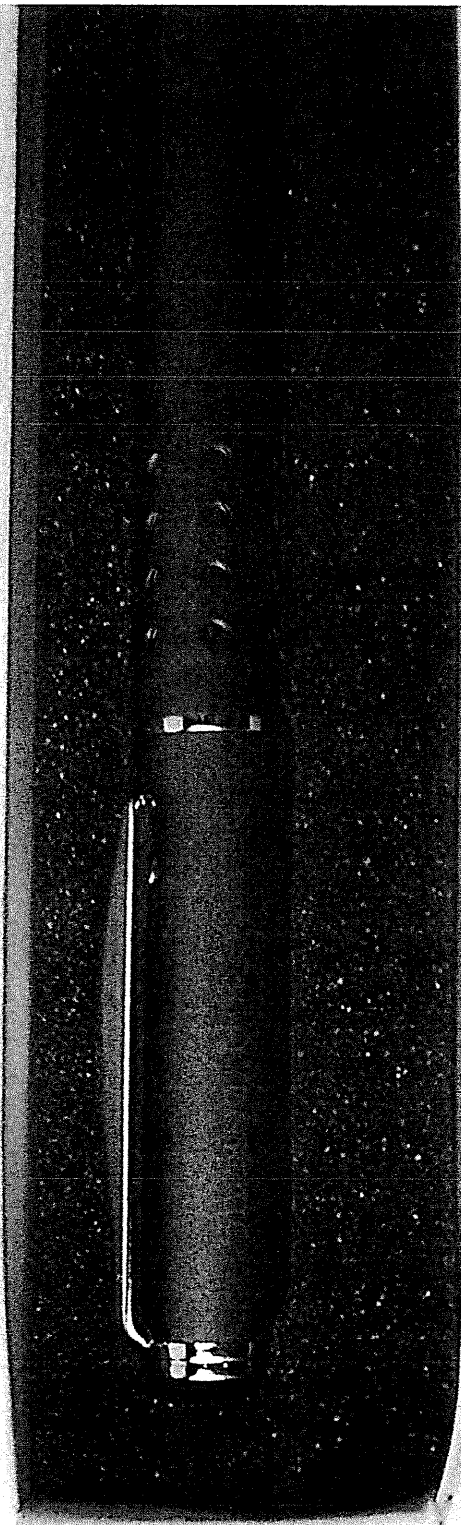


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